

7 problems with medical evidence that block causation finding

For an injured employee to establish that he sustained an injury in the performance of duty, he must submit sufficient evidence showing that the employment incident caused an injury. Rationalized medical opinion evidence is required to establish causal relationship. Under some circumstances, the medical evidence submitted will be insufficient to establish causation.

Here are seven potential problems with medical evidence that can have a detrimental effect on a finding of causation:

1. The physician does not offer an opinion on causation.

The Employees' Compensation Appeals Board has held that medical evidence that does not offer an opinion regarding the cause of an employee's condition is of no probative value on the issue of causal relationship. For example, in *M.A. and U.S. Postal Service*, [119 LRP 38065](#) (ECAB 09/13/19), the claimant submitted medical reports establishing diagnoses for his condition, but the physicians did not opine as to the cause of his conditions. Therefore, the reports were insufficient to establish the claim.

2. The claimant submitted diagnostic reports.

Diagnostic studies lack probative value as they do not address whether the employment incident caused any of the diagnosed conditions. In *M.A. and U.S. Postal Service*, [119 LRP 38065](#) (ECAB 09/13/19), the ECAB found that the diagnostic reports were insufficient to establish the claimant's claim.

3. The medical report contains an illegible signature.

A report containing an illegible signature cannot be considered probative medical evidence because it lacks proper identification. In *M.A. and U.S. Postal Service*, [119 LRP 38065](#) (ECAB 09/13/19), a report with an illegible signature had no probative value.

4. The physician referenced newspaper clippings, medical texts, and excerpts from publications.

The ECAB has held that newspaper clippings, medical texts, and excerpts from publications are of no evidentiary value in establishing a causal relationship between a claimed condition and factors of the employee's federal employment. In *P.D. and Department of Transportation*, [119 LRP 27742](#) (ECAB 07/02/19), the physician's reference to several medical studies and journals failed to establish causation.

5. The physician's opinion was speculative.

Speculative and equivocal medical opinions regarding causal relationship have no probative value. In *P.D. and Department of Transportation*, [119 LRP 27742](#) (ECAB 07/02/19), the physician's opinion that it was "likely" that the claimant's employment duties resulted in his condition was insufficient to establish the claim.

6. The physician checked "yes" on a form report, without additional explanation.

The checking of a box denoting "yes" in a form report, without additional explanation or rationale, is not sufficient to establish causal relationship. In *P.D. and Department of Transportation*, [119 LRP 27742](#) (ECAB 07/02/19), a form report was insufficient to establish causation because the physician checked "yes" in response to whether he believed the incident was the cause of the injury but failed to provide additional rationale.

7. The medical report was not completed by a physician, as defined under the Federal Employees' Compensation Act.

Under the FECA, the term "physician" includes surgeons, podiatrists, dentists, clinical psychologists, optometrists, chiropractors, and osteopathic practitioners within the scope of their practice as defined by the applicable state law. In *B.K. and Department of the Air Force*, [119 LRP 38177](#) (ECAB 09/25/19), the ECAB found that a report completed by a physician assistant did not constitute competent medical evidence to establish causal relationship.